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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/766,965

01/29/2004

Thomas J. Daley

04-6175

4387

63710 7590 06/07/2010  
INNOVATION DIVISION  
CANTOR FITZGERALD, L.P.  
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EXAMINER

VIZVARY, GERALD C

ART UNIT

PAPER NUMBER

3684

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* THOMAS J. DALEY, PAVAN K. GARAPATI,  
PHIL G. REEVES, and MARK E. STUTZMANN

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Appeal 2010-007115  
Application 10/766,965  
Technology Center 3600

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Before DALE M. SHAW, *Division 2 Support Administrator*.

ORDER DISMISSING APPEAL

On May 21, 2009, Appellants filed a Notice of Appeal. On June 1, 2010, Appellants filed a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. The RCE will be treated as a request to withdraw the appeal.

Accordingly, the appeal in this application is dismissed.

The application is being returned to the Examiner for further action as may be appropriate.

Appeal 2010-007115  
Application 10/776,965

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/mls

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